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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/519,504

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Hendrikus Cornelis Zegers

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03/06/2009

OLIFF & BERRIDGE, PLC

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EXAMINER

TENTONI, LEO B

ART UNIT

PAPER NUMBER

1791

MAIL DATE

DELIVERY MODE

03/06/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/519,504	ZEGERS, HENDRIKUS CORNELIS	
	Examiner	Art Unit	
	Leo B. Tentoni	1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 12-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Allowable Subject Matter

1. The indicated allowability of claims 1-8 and 12-14 is withdrawn in view of the newly discovered reference(s) to Kitagawa et al (U.S. Patent 6,040,050 A). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6, 7, 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitagawa et al (U.S. Patent 6,040,050 A).

Kitagawa et al (see the entire document, in particular, col. 2, lines 27-53 and the examples) teaches a process of making synthetic organic aromatic heterocyclic rod fiber as claimed, including loading the fiber in the presence of a processing aid (i.e., during neutralization). Kitagawa et al does not explicitly teach a tension of 10 to 95% of the fiber breaking strength; however, this would have been obvious to one of ordinary skill in the art at the time the invention was made in the process of

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Kitagawa et al principally because Kitagawa et al teaches a tension of not less than 1.0 GPa.

4. Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitagawa et al (U.S. Patent 6,040,050 A) as applied to claims 1-4, 6, 7, 12 and 14 above, and further in view of Alexander et al (U.S. Patent 5,273,703 A).

Alexander et al (see the entire document, in particular, col. 5, lines 1-57) teaches a process of making synthetic organic aromatic heterocyclic rod fiber including treating the fiber with steam, and such would have been obvious to one of ordinary skill in the art at the time the invention was made in the process of Kitagawa et al in view of Alexander et al principally in order to remove a processing aid (e.g., water).

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over either Kitagawa et al (U.S. Patent 6,040,050 A) alone, or in combination with the admitted prior art as set forth on page 2, line 17 to page 3, line 2 of the instant specification.

Aromatic heterocyclic polymer of PIPD would have been obvious to one of ordinary skill in the art at the time the invention was made in the process of Kitagawa et al principally because Kitagawa et al teaches the manufacture of fiber from aromatic heterocyclic polymer. Also, the admitted prior art teaches that it is known in the art to manufacture (and treat) fibers and films made from an aromatic heterocyclic polymer of PIPD.

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Response to Arguments

6. Applicant's arguments with respect to claims 1-8 and 12-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leo B. Tentoni whose telephone number is (571) 272-1209. The examiner can normally be reached on Monday - Friday (6:30 A.M. - 3:00 P.M.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina A. Johnson can be reached on (571) 272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Leo B. Tentoni/
Primary Examiner, Art Unit 1791